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12 Defendant TVIIM, LLC

13  
14 **UNITED STATES DISTRICT COURT**  
15  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17

18 TVIIM, LLC, a Colorado Limited liability  
19 company,

20 Plaintiff,

21 v.

22 MCAFEE, INC., a corporation,  
23 Defendant.

24 MCAFEE, INC., a corporation,

25 Counterclaimant,

26 v.

27 TVIIM, LLC, a Colorado Limited liability  
28 company,

Counterclaim Defendant.

Case No. 3:13-cv-04545-HSG

**SUPPLEMENTAL DECLARATION OF  
JOHN SHAEFFER IN SUPPORT OF  
TVIIM, LLC'S MOTION TO EXCLUDE  
CERTAIN EXPERT TESTIMONY OF  
LANCE GUNDERSON**

Hearing Date: May 7, 2015  
Hearing Time: 2:00 p.m.  
Courtroom: 15, 18th Floor

Hon. Haywood S. Gilliam, Jr.

**DECLARATION OF JOHN SHAEFFER**

I, John Shaeffer, hereby declare as follows:

1. I am a partner in the law firm of Fox Rothschild LLP, counsel for Plaintiff and Counterclaim Defendant TVIIM, LLC ("TVIIM"), in this action. I am a member in good standing of the California State Bar and the Ninth Circuit Bar. I submit this supplemental declaration in support of TVIIM's Motion to Exclude Certain Expert Testimony of Lance Gunderson. This declaration is being submitted in response to the Court's Order of June 10, 2015, Dkt. No. 171, which denied TVIIM's Administrative Motion to File Under Seal. Accordingly, and in accordance with the Court's Order and McAfee's filings of June 15, 2015 (Dkt. Nos. 173-176), I am attaching the following documents to be publicly filed. I have personal knowledge of the facts stated here and am familiar with the documents referred to below.

2. Attached hereto as Exhibit 5 are true and correct excerpts from the confidential deposition of Yannick Yu taken October 28, 2014.

3. Attached hereto as Exhibit 7 are true and correct excerpts from the confidential deposition of Armando Murga taken January 8, 2015.

4. Attached hereto as Exhibit 16 are true and correct excerpts from the confidential deposition of Paul Leon Jonjak taken September 12, 2014.

5. Attached hereto as Exhibit 17 is a true and correct copy of the November 7, 2012 Agreement to Form Joint Venture between Enterprise Information Management, Inc. ("EIM") and ThinkVillage Investments, LLC.

I declare under the penalty of perjury under federal law that the following is true and correct, and that I executed this Declaration on June 17, 2015 at Los Angeles, California.

/s/ John Shaeffer

JOHN SHAEFFER

**CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION**

I hereby attest that concurrence in this filing had been obtained from John Shaeffer and a copy of his original signature is on file.

Dated: June 17, 2015

/s/ Jeff Grant

Jeff Grant

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury under the laws of the United States that a true and correct copy of the above and foregoing document has been served on June 16, 2015, to all counsel of record who are deemed to have consented to electronic service via the Court's ECF system per Civil Local Rule 5-1.

Dated: June 17, 2015

/s/ Jeff Grant

Jeff Grant